

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor,

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE WHITMAN PARTNERSHIP; JUDITH
WHITMAN REVOCABLE LIVING TRUST
U/A/D 8/5/86; JUDITH WHITMAN;
BERNARD WHITMAN REVOCABLE
LIVING TRUST U/A/D 8/5/86; and
BERNARD WHITMAN,

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04610 (CGM)

MEDIATOR'S FINAL REPORT

Hon. Allen Hurkin-Torres (Ret.), the mediator in the above-captioned adversary proceeding (the “Adversary Proceeding”) submits this final report pursuant to Local Rule 9019-1 and section 3.4 of the Procedures Governing Mediation of Matters of the United States Bankruptcy Court for the Southern District of New York and reports as follows:

1. A mediation session in the Adversary Proceeding took place on October 22, 2020 via a virtual Zoom conference.

2. The parties negotiated in good faith and complied with all relevant orders governing the mediation including the Bankruptcy Court's Order entered November 10, 2010, (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order, but were unable to reach a mutually satisfactory resolution of the disputes involved in the Adversary Proceeding.

3. Accordingly, as further attempts to resolve this matter via settlement would not be productive, mediation in this matter should be deemed concluded.

Dated: May 5, 2021
New York, New York

/s/ Hon. Allen-Hurkin Torres (Ret.)
Hon. Allen-Hurkin Torres (Ret.), Mediator